

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

NATIONAL LABOR RELATIONS BOARD,	:	
	:	
Petitioner,	:	
	:	
v.	:	U.S. Magistrate Judge
	:	Stephanie Dawkins Davis
PARK AVENUE INVESTMENT ADVISOR, LLC,	:	as Special Master
HOTEL MANAGEMENT ADVISORS-TROY, LLC,	:	
5500 MANAGEMENT, LLC,	:	
QUANTUM HOTELS, LLC,	:	No. 14-1669
METROPOLITAN LODGING, LLC, and	:	
WICK ROAD HOTEL MANAGEMENT, LLC,	:	
a Single-Integrated Enterprise, a Single	:	
Employer, and Alter Egos,	:	
	:	
Respondents,	:	
	:	
and	:	
	:	
REMO POLSELLI, and	:	
HANNA KARCHO,	:	
Individual Respondents.	:	

**MOTION OF THE NATIONAL LABOR RELATIONS BOARD
FOR A STAY OF DISCOVERY IN LIGHT OF
UNITED STATES GOVERNMENT PARTIAL SHUTDOWN**

The National Labor Relations Board respectfully moves for a stay of discovery in the above-captioned case, and shows as follows:

1. On January 3, 2018, the Court issued an order extending discovery in the captioned case until February 28, 2018 (Dkt. 58).
2. The requested stay is necessary because the attorneys responsible for the case, along with essentially all of the Board's attorneys and other employees, have been on indefinite furlough since January 20, 2018, as part of the partial

shutdown of the federal government due to a lack of appropriated funds. Those attorneys are prohibited from working until they are recalled from furlough. *See* 31 U.S.C. § 1342.

3. The Board therefore requests a stay of discovery until Congress has restored appropriations to the Board.

4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as Congress has appropriated funds for the NLRB. At that point, the Board will file an appropriate motion for completing discovery, which is scheduled to close on February 28, 2018.

5. Counsel for the defendants in this case have authorized counsel for the Government to state that he does not have an objection to this motion.

WHEREFORE, the Board moves for a stay of discovery in this case until Board attorneys are permitted to resume work.

Respectfully submitted,

s/ Dean Owens

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Dated: January 22, 2018

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed electronically with the Court's CM/ECF system this 22nd day of January, 2018, which will send an electronic notice to all registered parties and counsel. All parties are represented by counsel and may access the filing through the Court's CM/ECF system.

s/ Dean Owens

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